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<div style="border: 1px solid black; padding: 5px; margin: 5px auto; width: 150px;"> DEC 15 2021 </div>	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

HEATH JAMES MACCUDY,

Defendant.

2:20-CR-277-GMN-NJK

Preliminary Order of Forfeiture

This Court finds Heath James MacCurdy pled guilty to Counts One and Two of a Two-Count Criminal Information charging him with felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). Criminal Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds Heath James MacCurdy agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information. Criminal Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement, ECF No. ____.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information and the offense to which Heath James MacCurdy pled guilty.

The following property is any firearm or ammunition involved in or used in any knowing violation of 18 U.S.C. § 922(g)(1) and is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c):

1. a Glock 19X 9mm semiautomatic pistol, serial number BGRF430;
2. 16 rounds of 9mm ammunition;

- 1 3. a Palmetto State Armory PA15 .223 caliber rifle, serial number
- 2 LW392689;
- 3 4. 29 rounds of .223 ammunition;
- 4 5. a Canik PP9 Elite Combat 9mm semiautomatic pistol, serial number
- 5 18BN02409;
- 6 6. 10 rounds of 9mm ammunition; and
- 7 7. any and all compatible ammunition
- 8 (all of which constitutes property).

9 This Court finds that on the government's motion, the Court may at any time enter
10 an order of forfeiture or amend an existing order of forfeiture to include subsequently
11 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
12 32.2(b)(2)(C).

13 This Court finds the United States of America is now entitled to, and should, reduce
14 the aforementioned property to the possession of the United States of America.

15 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
16 DECREED that the United States of America should seize the aforementioned property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
18 rights, ownership rights, and all rights, titles, and interests of Heath James MacCurdy in the
19 aforementioned property are forfeited and are vested in the United States of America and
20 shall be safely held by the United States of America until further order of the Court.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that if the value of
22 the property is less than \$1,000, the government may serve every person reasonably
23 identified as a potential claimant in lieu of publication pursuant to Fed. R. Crim. P.
24 32.2(b)(6)(C) with Fed. R. Civ. P. Supp. Rule G(4)(a)(i)(A).

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
26 or entity who claims an interest in the aforementioned property must file a petition for a
27 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
28 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §

1 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
2 right, title, or interest in the forfeited property and any additional facts supporting the
3 petitioner's petition and the relief sought.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
5 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
6 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
7 not sent, no later than sixty (60) days after the first day of the publication on the official
8 internet government forfeiture site, www.forfeiture.gov.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
10 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
11 Attorney's Office at the following address at the time of filing:

12 Daniel D. Hollingsworth
13 Assistant United States Attorney
14 James A. Blum
15 Assistant United States Attorney
16 501 Las Vegas Boulevard South, Suite 1100
17 Las Vegas, Nevada 89101.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
19 described herein need not be published in the event a Declaration of Forfeiture is issued by
20 the appropriate agency following publication of notice of seizure and intent to
21 administratively forfeit the above-described property.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
23 copies of this Order to all counsel of record.

24 DATED Dec 15, 2021.

25 
26 GLORIA M. NAVARRO
27 UNITED STATES DISTRICT JUDGE
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